

LOWENSTEIN SANDLER PC

Attorneys At Law
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Attorneys for Defendant

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ILLINOIS NATIONAL INSURANCE
COMPANY,

Plaintiff,

-v-

WYNDHAM WORLDWIDE OPERATIONS,
INC; WYNDHAM WORLDWIDE
CORPORATION; WYNDHAM VACATION
OWNERSHIP, INC.; and, WYNDHAM RESORT
DEVELOPMENT COPORATION,

Defendants.

Civil Action No. 09-1724

**DECLARATION OF STEVEN J.
PUDELL**

Document Electronically Filed

I, Steven J. Pudell of full age, being duly sworn according to law, do depose and state as follows:

1. I am a shareholder at the law firm of Anderson Kill and Olick where I have represented corporate and commercial policy holders in complex insurance litigation since 1996. I graduated from the University of Pennsylvania Law School in 1995. I served as a law clerk to the Honorable David Landau, J.A.D. (ret.) for the 1996-1997 term. I joined Anderson Kill as an associate in 1997; became a shareholder in 2005; and became the managing shareholder of the New Jersey office in February 2009. A copy of my biography is attached as Exhibit A.

2. I offer this Declaration in support of Defendants' Motion for Attorneys' Fees and Expenses under New Jersey Court Rule 4:42-9(a)(6).

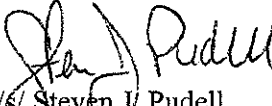
3. I am a member in good standing of the bar of New Jersey.

4. I represent policyholders in insurance coverage actions against insurance carriers. Over the course of my legal career, I have litigated many insurance coverage actions and helped recover millions of dollars in insurance assets for policyholders.

5. I reviewed the Declaration of Michael David Lichtenstein, Esq. (dated September 22, 2010) submitted in this matter. In doing so I reviewed the hourly billable rates charged by all the Lowenstein Sandler PC ("Lowenstein") attorneys and paraprofessionals in this matter, identified in paragraphs 51-65 of the Lichtenstein Declaration.

7. Based upon that review and my personal knowledge and experience with insurance coverage matters, I conclude that the rates charged by each Lowenstein attorney are within the prevailing market rate that is customarily charged in New Jersey for representation of policyholders in insurance coverage lawsuits based on each attorney's years of experience and reputation. The Lowenstein rates are comparable to the rates charged by Anderson Kill and Olick with respect to its national insurance coverage practice, and specifically comparable to rates Anderson Kill and Olick have charged in New Jersey insurance coverage litigation.

8. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the above statements are true and correct.


/s/ Steven J. Pudell
Steven J. Pudell

DATED: April 1, 2011

EXHIBIT A

ANDERSON KILL & OLICK, P.C.

ATTORNEYS & COUNSELLORS AT LAW

Steven J. Pudell

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Practice Areas

Insurance Recovery
Corporate and Commercial Litigation
Environmental Law



Steven J. Pudell is the Managing Shareholder in Anderson Kill's Newark office. Mr. Pudell's practice concentrates on insurance recovery, exclusively on behalf of policyholders. He also has litigation experience in other practice areas including commercial litigation.

After graduating from the University of Pennsylvania Law School in 1995, he clerked for the Honorable David Landau in the New Jersey Superior Court, Appellate Division.

Mr. Pudell has represented food industry companies, chemical manufacturers, pharmaceutical companies and real estate developers in insurance recovery matters.

Mr. Pudell currently serves on the New Jersey Supreme Court Model Civil Jury Charge Committee.

Representative Engagements:

- Represented multi-national chemical manufacturer in environmental insurance coverage case involving sites in New Jersey and Tacoma, Washington.
- Obtained favorable ruling on the duty to defend for our client, a large pharmaceutical company, on its \$400 million product liability insurance coverage dispute. The case settled days before trial.
- Successfully obtained order dismissing insurance company's complaint based on abstention grounds for the policyholder which resulted in a favorable settlement of the case for our client, an outdoor and camping equipment manufacturing company. The matter stems from an insurance coverage dispute regarding insurance company's denial of coverage under product liability insurance.
- Represented manufacturer of land, air, sea and space navigation and guidance products in environmental insurance coverage litigation.
- Represented coating and paint manufacturer in environmental insurance coverage litigation involving sites in over 20 states.
- Lead counsel for major real estate developer in insurance coverage dispute involving

"Builders Risk" policy. Also, represented the company in reaching a settlement in a related dispute involving a general liability insurance policy.

- Represented commercial landlord involving insurance coverage for complaints by tenants of damage from toxic fumes.
- Represented commercial landlord involving insurance coverage for complaints by tenants of damage from toxic fumes.
- Represented commercial property owner in property/fire insurance case and won summary judgment ruling that led to settlement. See 237 F.Supp.2d 270 (E.D.N.Y. 2002).
- Represented corporation in securities fraud case.
- Represented paint manufacturer in lead paint insurance coverage case. Case was litigated to the New Jersey Appellate Division (2003 WL 1904383) and the New Jersey Supreme Court (179 N.J. 87).
- Appointed as special insurance coverage counsel for debtors insurance coverage issues.

Publications

"Preventing, Uncovering and Prosecuting the Enemy Within: New Jersey's Top Legal Guns Target Employee Fraud & Theft," *CIANJ's Commerce magazine* (Summer 2010)

"Five steps to maximize insurance coverage for food contamination events," *Food Chemical News, On the Front Burner*, Volume 52, Issue 13 (June 2010)

"The Complexity of Environmental Litigation in New Jersey Requires Both Mind and Muscle," *Commerce Magazine: Environmental Business* (November 2009)

"Revealing the Secrets to Success: Accounting and Legal Advice is Critical for Healthcare/Pharmaceutical Firms," *Commerce Magazine, Special Focus: Healthcare and Pharmaceuticals Roundtable* (Autumn 2009)

"Buying the Right Insurance Coverage is Only Half the Battle," *Hospitality/Lawyer/Risk Management Newsletter*, Volume I, Issue 4 (November 2009), *Corporate Counsel* (November 2009) and *AKO Policyholder Advisor*, Volume 18, Number 5 (September/October 2009) (with Natasha Z. Millman)

"The Hot Seat is No Place to Be Alone: Top New Jersey Law Firms Can Help," *Commerce Magazine Fourth Annual Law Firm Managing Partners Roundtable* (Summer 2009)

"Does Your Business Have the 'Horsepower' for Long-Term Success? Good Legal Advice Can Make the Difference Between First and Last," *Commerce Magazine Third Annual Law Firm Managing Partners Roundtable* (Summer 2008)

"Ten Tips To Preserve Business Income Insurance Coverage," *Drycleaners News* (December 2006) (with Richard P. Lewis and Natasha Z. Millman)

"Past Policies Vital When Faced With Liability," *Drycleaners News* (October 2006) (with Natasha Millman)

"The Duty To Defend And Allocation Of Defense Obligations Under Commercial General Liability Insurance Policies - New York and New Jersey Law," New York State Bar Association, Commercial Lines Insurance Coverage With Advanced Issues (Spring 2004)

Speaking Engagements

"Emerging Legal Issues in Insurance Risk Management," 2011 PERK Risk and Insurance Management Society New Jersey Chapter, Fairlawn, NJ (February 8, 2011) (with William G. Passannante)

"Ultrafine Print: How to Read an Insurance Policy," 2010 PERK Risk and Insurance Management Society New Jersey Chapter, New Jersey (November 9, 2010) (with Darin J. McMullen)

"Food Safety Insurance," Denver Restaurants Risk Advisory Group Seminar, Englewood, CO (June 2, 2010)

"Food Safety Insurance", Must-Have Guidance For Food Manufacturers, Suppliers and Retailers Live and On-Demand Webinar (November 17, 2009) (with William G. Passannante)

"Ultrafine Print: How to Read an Insurance Policy," 2009 PERK Risk and Insurance Management Society New Jersey Chapter, New Jersey (November 10, 2009) (with Cort T. Malone)

"Insurance Recoveries in a Climate of Increased Environmental Enforcement," 12th Annual Policyholder Advisor Conference, New York, NY (September 17, 2009) (with Robert M. Horkovich and John G. Nevius)

"Real Estate & Construction - Practical Tips on Avoiding Claims and What to do if They Arise," Industry Breakout Sessions: Important Issues Affecting Key Industries, 12th Annual Policyholder Advisor Conference, New York, NY (September 17, 2009) (with James Cullen and Caroline Hurtado)

"Pharmaceutical/Healthcare – Responding to Change," 11th Annual Policyholder Advisor Conference, New York, NY (September 18, 2008) (with Rhonda Orin)

"How to Evaluate and Settle an Insurance Claim," Risk and Insurance Management Society, Inc., Warren, NJ (January 8, 2008)

Press

"Insurer seeks relief from Basic Food's HVP-related claims," *Food Chemical News* (August 2010)

Bar Admissions

New York, New Jersey, United States District Court for the District of New Jersey, United States Court of Appeals for the Third Circuit, United States District Courts for the Southern and Eastern Districts of New York

Memberships

New York, New Jersey and United States District Court for the District of New Jersey

Education

University of Pennsylvania Law School, J.D.
Yeshiva University, B.A.